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Date: September 17, 2001

For: Kaya Baltimore

Facsimile Number: 703-305-3230

Company: U.S. Patent and Trademark Office Main Number: 703-305-3695

From: John W. Ryan

COMMENTS:

Attached please find a copy of our Response to the Notification of Abandonment for U.S. Application No. 09/786,825, which we filed in the U.S. Patent and Trademark Office on Monday, September 17, 2001.

We are beginning to send a communication of *27 Remaining Pages* pages (including this cover sheet). If transmission is interrupted or of poor quality, please notify us immediately by telephone at (202) 663-6712.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone (collect), and return the original message to us at the above address by post. Thank You.

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

Attorney's Docket No.
30990009US

U.S. Application No.
Not Yet Known

International Application No.
PCT/GB00/04148

International Filing Date
26 October 2000

Priority Date Claimed
28 October 1999

Title of Invention:

RATE ADAPTIVE PAYLOAD TRANSMISSION FOR LOCAL AREA NETWORKS

Applicant(s) For DO/EO/US:

Ian JOHNSON et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(I).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a) ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b) ☐ has been transmitted by the International Bureau.
 - c) ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report. (PCT/ISA/210).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a) ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b) ☐ have been transmitted by the International Bureau.
 - c) ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d) ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 13. to 20. below concern other document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ Certificate of Mailing by Express Mail.
20. ☒ Other items or information
 - a) ☐ Copy of Notification of Missing Requirements.
 - b) ☒ Itemized receipt page
 - c) ☒ Serial number post card.
 - d) ☐ _____
 - e) ☐ _____
 - f) ☐ _____
 - g) ☐ _____

U.S. Application No. Not Yet Known	International Application No. PCT/GB00/04148	Attorney Docket No. 30990009US
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21. The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5)): <table style="width: 100%;"> <tr> <td><input type="checkbox"/> Neither international preliminary examination fee nor international search fee paid to USPTO; International Search Report not prepared by the EPO or JPO</td> <td style="text-align: right;">\$ 1,000.00</td> </tr> <tr> <td><input checked="" type="checkbox"/> International preliminary examination fee not paid to USPTO; International Search Report prepared by EPO OR JPO</td> <td style="text-align: right;">\$ 860.00</td> </tr> <tr> <td><input type="checkbox"/> International preliminary examination fee not paid to USPTO; international search fee paid to USPTO</td> <td style="text-align: right;">\$ 710.00</td> </tr> <tr> <td><input type="checkbox"/> International preliminary examination fee paid to USPTO; all claims did not satisfy provisions of PCT Article 33(1)-(4)</td> <td style="text-align: right;">\$ 690.00</td> </tr> <tr> <td><input type="checkbox"/> International preliminary examination fee paid to USPTO; all claims satisfied provisions of PCT Article 33(1)-(4)</td> <td style="text-align: right;">\$ 100.00</td> </tr> </table>	<input type="checkbox"/> Neither international preliminary examination fee nor international search fee paid to USPTO; International Search Report not prepared by the EPO or JPO	\$ 1,000.00	<input checked="" type="checkbox"/> International preliminary examination fee not paid to USPTO; International Search Report prepared by EPO OR JPO	\$ 860.00	<input type="checkbox"/> International preliminary examination fee not paid to USPTO; international search fee paid to USPTO	\$ 710.00	<input type="checkbox"/> International preliminary examination fee paid to USPTO; all claims did not satisfy provisions of PCT Article 33(1)-(4)	\$ 690.00	<input type="checkbox"/> International preliminary examination fee paid to USPTO; all claims satisfied provisions of PCT Article 33(1)-(4)	\$ 100.00	Calculations <i>PTO USE ONLY</i>
<input type="checkbox"/> Neither international preliminary examination fee nor international search fee paid to USPTO; International Search Report not prepared by the EPO or JPO	\$ 1,000.00										
<input checked="" type="checkbox"/> International preliminary examination fee not paid to USPTO; International Search Report prepared by EPO OR JPO	\$ 860.00										
<input type="checkbox"/> International preliminary examination fee not paid to USPTO; international search fee paid to USPTO	\$ 710.00										
<input type="checkbox"/> International preliminary examination fee paid to USPTO; all claims did not satisfy provisions of PCT Article 33(1)-(4)	\$ 690.00										
<input type="checkbox"/> International preliminary examination fee paid to USPTO; all claims satisfied provisions of PCT Article 33(1)-(4)	\$ 100.00										

ENTER APPROPRIATE BASIC FEE AMOUNT =				\$860.00
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date 37 CFR 1.492(e)).				\$0.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$0.00
Total Claims	11 - 20 =	0	x \$18.00	\$0.00
Indep. Claims	3 - 3 =	0	x \$80.00	\$0.00
Multiple Dependent Claims (if applicable)			\$270.00	\$0.00
TOTAL OF ABOVE CALCULATIONS =				\$860.00
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entry statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28)				\$0.00
SUBTOTAL =				\$860.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0.00
TOTAL NATIONAL FEE =				\$860.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31).				\$40.00
TOTAL FEES ENCLOSED =				\$900.00

☐ A check in the amount of \$ ____ to cover the above fees is enclosed.
☒ Please charge Deposit Account No. 08-2025 in the amount of \$ 900.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-2025. A duplicate copy of this sheet is enclosed

SEND ALL CORRESPONDENCE TO: John W. Ryan WILMER, CUTLER & PICKERING 2445 M Street, N.W. Washington, DC 20037-1420	<i>John W. Ryan</i> , dated <i>June 27</i> John W. Ryan, Reg. No. 33,771 202-663-6446 202-663-6363 (facsimile)
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UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/869421	JOHNSON	30990009 US

 JOHN W RYAN
 WILMER CUTLER & PICKERING
 2445 M STREET NW
 WASHINGTON, DC 20037 1420

INTERNATIONAL APPLICATION NO.

PCT/GB00/04148

I.A. FILING DATE	PRIORITY DATE
26 OCT 00	28 OCT 99

DATE MAILED 07 SEP 2001

**NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371
 AND 37 CFR 1.494 OR 1.495**

1. The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as ☒ a Designated Office (37 CFR 1.494), ☐ an Elected Office (37 CFR 1.495), has determined that the above-identified international application has met the requirements of 35 U.S.C. 371, and is **ACCEPTED** for national patentability examination in the United States Patent and Trademark Office.

2. The United States Application Number assigned to the application is shown above and the relevant dates are:

27 JUNE 2001
 DATE OF RECEIPT OF
 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS

27 JUNE 2001
 DATE OF RECEIPT OF ALL
 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE "FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above-identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

3. ☐ A request for immediate examination under 35 U.S.C. 371(f) was received on _____ and the application will be examined in turn.

4. The following items have been received:

- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application.
- ☐ Translation of the international application into English.
- ☒ Oath or Declaration of inventors(s).
- ☐ Copy of Article 19 amendments. ☐ Translation of Article 19 amendments into English.
- The Article 19 amendments ☐ have ☐ not been entered.
- ☐ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Copy of the Annexes to the International Preliminary Examination Report (IPER).
- ☐ Translation of Annexes to the IPER into English.
- The Annexes ☐ have ☐ not been entered.
- ☒ Preliminary amendment(s) filed 27 JUNE 2001 and _____
- ☒ Information Disclosure Statement(s) filed 27 JUNE 2001 and _____
- ☒ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed _____
- ☐ Indication of Small Entity Status.
- ☒ Priority Document.
- ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
- ☐ Other:

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

Francine Young
 Telephone: 703-305-3662

FORM PCT/DO/EO/903 (March 2001)

DOCKETED
 9/13/01